



ELDER LAW SECTION E-NEWSLETTER

February 6, 2023

Vol. 14, No. 95

Communications Committee Chair: Lucas Spaeth

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Web Coordinator: Lucas Spaeth

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ELDER LAW NEWS AND HIGHLIGHTS

Summer Opportunity for Law Students

The Office of Administrative Hearings offers summer judicial externships for Minnesota law students. This summer, OAH will accept up to up to three law students for externships.

Among other issues, the OAH hears appeals requested on behalf of residents of long-term care facilities who are appealing termination of an assisted living contract or involuntary discharge from a nursing home. Student considering practice in elder law or health compliance may find the externship opportunity valuable.

Compensation starts at \$17 per hour and includes eligibility for an additional award of up to \$2,000 through the MSBA Administrative Law Section's George Beck Fellowship. The position involves a hybrid work environment where externs are expected to work in the office 4 days per 2-week pay period. Interested candidates may request more information at MNOAH@public.govdelivery.com.

Interested applicants may send the following to Jill Melzarek at jill.s.melzarek@state.mn.us:

- Resume
- Cover letter
- Law school transcript
- Brief writing sample (1-5 pages)

Contributed by Laura Orr

Reflection

In January, the Minnesota Department of Employment and Economic Development (DEED) held its 37th annual Martin Luther King Jr. Holiday celebration occurred at the Ordway Theater entitled "Building Black Wealth," hosting [Anna Gifty Opoku-Agyeman](#) as its keynote speaker.

Food for Thought: Engaged and competent elder law attorneys are an important part of addressing racial disparity in wealth by ensuring that individuals have valuable information and quality services in estate and long-term care planning.

Contributed by Laura Orr

Please submit upcoming news and highlights to mcook@vgllaw.com.

FEBRUARY CLE AND EVENTS

Strategies to Reduce or Retain Assets to Obtain Medical Assistance Benefits

Thursday, February 16, 2023, from 12:00 PM to 1:00 PM

Navigating eligibility for Medical Assistance can be confusing and frustrating. As advocates, we are often tasked with providing the best strategies for clients to maximize the assets they are allowed to keep and still obtain eligibility for Medical Assistance benefits.

In this CLE we will:

1. Review methods for clients to reduce assets to obtain financial eligibility for Medical Assistance and learn strategies that increase financial security for the community spouse
2. Detail the difference between permissible and impermissible asset transfers
3. Discuss scenarios when spouses can retain additional, income producing assets and how to advocate for your clients through the application process

Presenters:

Kari R. Shogren, Paralegal-Northwoods Law Group, P.A.

Attorney Brenna M. Galvin, Maser, Amundson, Boggio, P.A.

Moderator:

Attorney Cathryn D. Reher, Barna, Guzy, & Steffen, Ltd.

This CLE is free to Elder Section Members.

Remote participation only.

Interested attendees may register here: <https://www.mnbar.org/members/cle-events/tri-bar-event?EventID=5699>

New Lawyers Committee Study Group:

The New Lawyers Committee will have a New Lawyers Study Group Session on March 3, 2023 from 12 PM to 1 PM. The Study Group will be held at Steinhagen, Crist, Wehrly, & Kufus, PLLP. Lunch is provided.

Please contact Alexis Anderson at aanderson@steinhagen-crist.com if you would like to attend.

Contributed by Alexis Anderson

African Heritage Day on the Hill

The Council for Minnesotans of African Heritage has organized its first in-person African Heritage Day on the Hill for Friday, February 24 from 9:30 A.M. to 11 A.M. at the Minnesota State Capitol. Please attend the Diversity Committee's meeting on Friday, February 10 or contact Laura Orr (laura.orr@elderjusticemn.org) if you would be interest in attending with other members of the MSBA Elder Law Section.

Contributed by Laura Orr

Please submit upcoming CLEs to mcook@vgllaw.com.

ELDER LAW SECTION ACTIVITIES

ADVOCACY SUPPORT COMMITTEE:

The Advocacy Support Committee meets remotely at the call of the chair.

Upcoming meeting dates to be announced.

AWARDS COMMITTEE:

The Awards Committee Chair is appointed by the incoming Council Chair after the Council Chair takes office each year. The current Committee Chair is Julian J. Zweber. Members of the Committee are appointed each year by the Council Chair on recommendation by the Committee Chair as approved or modified by the Council Chair. The Committee usually meets from July to October of each year, at the call of the Committee Chair. Nominations will be accepted year-round by the Committee from Section members for Section Awards to be presented at the next Elder Law Institute sponsored by MN CLE, usually in October of each year. For more information, please contact Julian J. Zweber at 651-646-4354 or julianzweber@qwestoffice.net.

COMMUNICATIONS COMMITTEE:

The Communications Committee oversees the monthly Elder Law E-Newsletter and the Elder Law Section website. The committee is composed of the e-newsletter editor, web editor, associate editors, contributors, and any other interested section members. Meetings will be held remotely every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey.

The Communications Committee will meet on **February 8, 2023, at 8:30 A.M.**

The meeting will be arranged by video chat on Zoom or Microsoft Teams. The meeting link will be emailed to all committee members. Anyone interested in joining the meeting should email Lucas Spaeth at lucas.spaeth@voamn.org for a link to the meeting.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Lucas Spaeth at lucas.spaeth@voamn.org or (612) 676-6302.

DIVERSITY COMMITTEE:

Are you interested in advancing equity in elder law practice? Please consider participating in the Diversity Committee meeting via [Zoom](#) on 9 A.M. on Friday, February 10, 2023. Please contact the current chair, Laura Orr (laura.orr@elderjusticemn.org), with any questions.

EDUCATION COMMITTEE:

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets via Zoom on the second Thursday of each month from 9:00 A.M. to 10:00 A.M. Subcommittees of the Education Committee include New Lawyers and Law Students.

The Education Committee will meet next on **February 9, 2023, at 9:00 A.M.**

If you would like to participate, please contact the committee chair, Lauren Fink at lfink@maserlaw.com. Anyone is welcome to join the committee or simply attend a meeting.

GOVERNING COUNCIL:

The Elder Law Section Governing Council is chaired by Callyn Bedker and is currently meeting via Zoom.

The Governing Council will meet next on **February 17, 2023, at 12:00 P.M.**

Please contact Tram Nguyen at tnguyen@mnbars.org or Callyn Bedker at callyn@bedkerlaw.com to receive Zoom instructions to join the meeting.

LAW STUDENT COMMITTEE:

The Law Student Committee helps attract students to become the next generation of elder law attorneys. The committee meets as needed during the school year. Our goal for this bar year is to host a panel event at each local law school where students can ask questions about the practice of elder law. We are always looking for other ways to engage students, so please feel free to attend meetings and make suggestions.

If you have questions about the committee, contact Jack Austin at jack@hawkelawgroup.com.

LEGISLATIVE COMMITTEE

The Elder Law Section's Legislative Committee monitors proposed legislation at the state and federal level affecting the Section's membership; reviews legislative proposals put forward by other Sections and Committees of the MSBA; reviews proposals from other groups, agencies and individuals; keeps Section membership informed of proposed legislation; provides comment and

other responses to legislative proposals; makes recommendations concerning support of, or opposition to, legislative proposals; develops relationships with other organizations affected by legislation of interest to the Section; acts as a coordinator for the Section's legislative activities; develops legislative proposals for inclusion in the MSBA legislative agenda; provides witnesses and testimony in support of, or opposition to, legislative proposals; and in general supports the MSBA and the Section's legislative agendas. Members interested in joining the committee or learning more about the legislative issues being reviewed by the committee may contact the Legislative Committee Chair, Suzy Scheller, at (763) 647-0042 or suzy@schellerlegalsolutions.com; or Vice-Chair, Julian J. Zweber, at (651-646-4354) or julianzweber@qwestoffice.net.

Several Elder Law Section only proposals are in effect for the current legislative session. The Elder Law Section is currently supporting proposals to pass new legislation regarding medical assistance treatment of life estates and irrevocable trusts as well as opposing proposed language related to resident trusts. Please contact Suzy Scheller at suzy@schellerlegalsolutions.com with questions or requests for further information.

Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the Elder Law Section Community Forum.

MEDICAL ASSISTANCE COMMITTEE:

The Medical Assistance Committee is a study group to analyze the members' questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. For directions, or to attend by phone, please contact Callyn Bedker at 507-587-8766 at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to Callyn at callyn@bedkerlaw.com under the subject heading "MA Committee Topic."

Please note, due to COVID-19, all meetings will be held remotely by telephone at this time.

To attend by telephone, call 1-888-354-0094 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

MA Committee members are invited to join the Medical Assistance Community forum at my.mnbar.org. Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the community.

PRO BONO COMMITTEE:

Please contact Emily Weichsel at 612-524-7356 or emilyweichsel@gmail.com if you are interested in participating in this committee.

STRATEGIC PLANNING COMMITTEE:

The Strategic Planning Committee meets at the call of the Section Chair. Questions may be directed to Callyn Bedker at 507-587-8766 or callyn@bedkerlaw.com.

The Elder Law Section's Website contains information about section committees and leadership. It also contains useful practice resources.

You may email Lucas Spaeth at lucas.spaeth@voamn.org to suggest changes to website content.

Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Maggie Cook at mcook@vglaw.com. The E-Newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the E-Newsletter will be distributed on the following Monday.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tram Nguyen at tnguyen@mnbars.org.

Current and prior E-Newsletters are posted on the website for the Elder Law Section and are available [HERE](#).